

**2007 DRAFTING REQUEST****Assembly Amendment (AA-ASA1-SB40)**Received: **06/28/2007**Received By: **agary**Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**By/Representing: **Dyck**This file may be shown to any legislator: **NO**Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - miscellaneous**Extra Copies: **BAB, RAC**Submit via email: **NO**

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**Pre Topic:**

LFB:.....Dyck-

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**Topic:**

Joint committee on finance review of allotment adjustments

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	agary 06/28/2007	jdyer 06/29/2007	pgreensl 06/29/2007	_____	cdurst 06/29/2007		
/2	agary 06/29/2007	jdyer 07/02/2007	nnatzke 07/02/2007	_____	lparisi 07/02/2007		
/3	agary 07/05/2007	jdyer 07/05/2007	sherritz 07/05/2007	_____	cdurst 07/05/2007		

FE Sent For:

&lt;END&gt;

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/?		13 7/5 jld	sh 7/5	sh 7/5			
/1	agary 06/28/2007	jdye 06/29/2007	pgreensl 06/29/2007		cdurst 06/29/2007		
/2	agary 06/29/2007	jdye 07/02/2007	nnatzke 07/02/2007		lparisi 07/02/2007		

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<END>

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/?		1/2 JLD					
/1	agary	jdye	pgreensl		cdurst		
	06/28/2007	06/29/2007	06/29/2007	nwn/	06/29/2007		
	agary		nwn	7/2			
			4/7/2				

FE Sent For:

<END>

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Addl. Drafters:

Subject: Transportation - miscellaneous

Extra Copies: BAB

Submit via email: NO

**Pre Topic:**

No specific pre topic given

LFB: ..... Dyck -

**Topic:**

Joint committee on finance review of allotment adjustments

**Instructions:**

See Attached

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/?	agary	1/28 ju	CG	CG			
			PF	PF			

FE Sent For:

<END>

**Gary, Aaron**

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**From:** Dyck, Jon  
**Sent:** Thursday, June 28, 2007 9:09 AM  
**To:** Gary, Aaron; Balinsky, Brett  
**Subject:** more transportation items

Here are the new items that we received:

[REDACTED]

**JOINT COMMITTEE ON FINANCE REVIEW OF ALLOTTMENT  
ADJUSTMENTS TO DEPARTMENT OF TRANSPORTATION FEDERAL  
APPROPRIATIONS**

Prohibit the Department of Administration from approving an allotment adjustment to DOT's FED appropriations unless the adjustment is approved by the Joint Committee on Finance under a 14-day passive review process.

LPS - Fix request  
sheet please

2007 - 2008 LEGISLATURE

LRBb0898/1

ARG:.....

LFB

in  
6/28

jld  
D-note

ASSEMBLY AMENDMENT ,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2007 SENATE BILL 40

renumbered 84.03  
(2)(b)2. (intro.)  
and

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1192, line 2: after that line insert:

3 Fix component B → 2529  
4 SECTION 2529 g. 84.03 (2) (b) 2. of the statutes is amended to read:

5 84.03 (2) (b) 2. Intro. The secretary is required to submit a plan under subd. 1. only  
6 if the any of the following applies apply:

7 a. The department's most recent estimate of the amount of federal funds that  
8 the department will be appropriated under s. 20.395 in the current state fiscal year  
9 is less than 95% or more than 105% of the amount of federal funds shown in the  
10 schedule for the appropriations under s. 20.395 in that fiscal year.

B → 2529  
History: 1971 c. 125; 1973 c. 243 s. 82; 1977 c. 29 ss. 928, 929, 1654 (1), (3), (8) (a); 1656 (43); 1977 c. 272; 1977 c. 418 ss. 572, 573, 929 (55); 1979 c. 34 s. 2102 (52)  
(a); 1979 c. 361; 1983 a. 130; 1987 a. 27; 1997 a. 86; 1999 a. 9; 2001 a. 16, 109; 2003 a. 33.

SECTION 2529 h. 84.03 (2) (b) 2. b. of the statutes is created to read:

1 84.03 (2) (b) 2. b. The department submits for approval by the department of  
2 administration any proposal to adjust the department of transportation's  
3 appropriations of federal aid funds.

4 <sup>2529</sup>  
SECTION ~~2539j~~. 84.03 (2) (d) of the statutes is created to read:

5 84.03 (2) (d) Notwithstanding s. 16.50 (2), the department of administration  
6 may not approve any proposal submitted by the department of transportation under  
7 par. (b) 2. b. unless the department of transportation has authority to implement the  
8 proposal under par. (c).".

9 2. Page 1196, line 23: after that line insert:

10 "SECTION 2541r. 85.035 of the statutes is amended to read:

11 **85.035 Reduction of department appropriations.** Where Subject to s.  
12 84.03 (2). where the secretary deems that economic conditions warrant, the  
13 secretary, in conjunction with submission of estimates under s. 16.50, may  
14 recommend to the secretary of administration that authorized department  
15 appropriations be reduced to reflect revenue deficiencies.".

16 History: 1977 c. 29; 1981 c. 30.

(END)

D-Note

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0898/1dn

ARG:.....

date

جل

ATTN: Jon Dyck

I am not sure that the attached draft is exactly what was intended by the drafting request. I have reviewed ch. 16<sup>✓</sup> and discussed this draft with the principal drafter of that chapter. I do not believe there is a specific procedure set forth in the statutes for federal aid allotment adjustments.<sup>✓</sup> Perhaps an "adjustment" occurs when the general procedure for approval of expenditure estimates under s.<sup>✓</sup>16.50 (2) is repeated in relation to a change involving a previously approved expenditure estimate.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.wisconsin.gov](mailto:aaron.gary@legis.wisconsin.gov)



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0898/1dn  
ARG:jld:pg

June 29, 2007

ATTN: Jon Dyck

I am not sure that the attached draft is exactly what was intended by the drafting request. I have reviewed ch. 16 and discussed this draft with the principal drafter of that chapter. I do not believe there is a specific procedure set forth in the statutes for federal aid allotment adjustments. Perhaps an "adjustment" occurs when the general procedure for approval of expenditure estimates under s. 16.50 (2) is repeated in relation to a change involving a previously approved expenditure estimate.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.wisconsin.gov](mailto:aaron.gary@legis.wisconsin.gov)

## STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

file w/ Tom Lynch

6/29

b0898

• want it in

s. 16.50, not 84.03

• any estimate under sub. (1)

cannot be approved

under sec. unless ...

or procedure under ch. 84



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBb0898/2

ARG:jld:pg

RMR

LFB:.....Dyck- Joint committee on finance review of allotment adjustments

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1

At the locations indicated, amend the substitute amendment as follows:

2

1. Page 1192, line 2: after that line insert:

3

"SECTION 2529g. 84.03 (2) (b) 2. of the statutes is renumbered 84.03 (2) (b) 2.

4

(intro.) and amended to read:

5

84.03 (2) (b) 2. (intro.) The secretary is required to submit a plan under subd.

6

1. only if the any of the following applies:

7

a. The department's most recent estimate of the amount of federal funds that

8

the department will be appropriated under s. 20.395 in the current state fiscal year

9

is less than 95% or more than 105% of the amount of federal funds shown in the

10

schedule for the appropriations under s. 20.395 in that fiscal year.

1 **SECTION 2529h.** 84.03 (2) (b) 2. b. of the statutes is created to read:

2 84.03 (2) (b) 2. b. The department submits for approval by the department of  
3 administration any proposal to adjust the department of transportation's  
4 appropriations of federal aid funds.

5 **SECTION 2529j.** 84.03 (2) (d) of the statutes is created to read:

6 84.03 (2) (d) Notwithstanding s. 16.50 (2), the department of administration  
7 may not approve any proposal submitted by the department of transportation under  
8 par. (b) 2. b. unless the department of transportation has authority to implement the  
9 proposal under par. (c)."

10 **2.** Page 1196, line 23: after that line insert:

11 "SECTION 2541r. 85.035 of the statutes is amended to read:

12 ✓ **85.035 Reduction of department appropriations.** Where Subject to s.

13 16.50(1)(C)  
84.03 (2), where the secretary deems that economic conditions warrant, the  
14 secretary, in conjunction with submission of estimates under s. 16.50, may  
15 recommend to the secretary of administration that authorized department  
16 appropriations be reduced to reflect revenue deficiencies."

17 (END)

**2007-2008 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0898/2ins  
ARG:.....

INSERT 1-2:

1. Page 29, line 24: after that line insert: ✓

✓  
"SECTION 85c. 16.50 (1) (a) of the statutes is amended to read:

16.50 (1) (a) Each department except the legislature and the courts shall prepare and submit to the secretary an estimate of the amount of money which it proposes to expend, encumber or distribute under any appropriation in ch. 20. The department of administration shall prepare and submit estimates for expenditures from appropriations under ss. 20.855, 20.865, 20.866 and 20.867. The secretary may waive the submission of estimates of other than administrative expenditures from such funds as he or she determines, but the secretary shall not waive submission of estimates for the appropriations under s. 20.285 (1) (im) and (n) nor for expenditure of any amount designated as a refund of an expenditure under s. 20.001 (5). Estimates shall be prepared in such form, at such times and for such time periods as the secretary requires. Revised Except as provided in ✓ par. (c), ✓ revised and supplemental estimates may be presented at any time under rules promulgated by the secretary.

**History:** 1971 c. 270; 1973 c. 333; 1975 c. 39; 1977 c. 29, 196, 418; 1979 c. 32, 34; 1981 c. 20, 27, 30, 314; 1983 a. 27 ss. 70, 71a, 2202 (42); 1985 a. 332 s. 251 (6); 1987 a. 4, 27; 1989 a. 31, 336; 1991 a. 316; 1993 a. 16; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33 ss. 173, 174, 9160; 2005 a. 25, 149.

✓  
**SECTION 85e. 16.50 (1) (c) of the statutes is created to read:**

16.50 (1) (c) 1. The department ✓ may not approve any revised or supplemental estimate submitted by the department of transportation ✓ under par. (a) ✓ for any appropriation of federal funds under s. 20.395 ✓ unless the department of transportation has submitted a request to revise or supplement the estimate to the joint committee on finance and the request is approved under subd. ✓ 2. or the

↓

department of transportation has submitted a plan including the revised or supplemental estimate to the joint committee on finance under s. 84.03 (2) (b) 1. and the plan is approved under s. 84.03 (2) (c).

2. If the department of transportation submits a request under subd. 1. and the cochairpersons of the joint committee on finance do not notify the department of transportation within 14 working days after the date of the submittal that the committee has scheduled a meeting for the purpose of reviewing the request, the request is approved. If, within 14 working days after the date of the submittal, the cochairpersons of the committee notify the department of transportation that the committee has scheduled a meeting for the purpose of reviewing the request, the department of transportation may not revise or supplement any estimate specified in the request until it is approved by the committee, as submitted or as modified.

**SECTION 85f.** 16.50 (6) of the statutes is amended to read:

16.50 (6) PROPORTIONAL SPENDING. If the secretary determines that expenditures of general purpose or segregated fund revenues are utilized to match revenues received under s. 16.54 or 20.001 (2) (b) for the purposes of combined program expenditure, the secretary may require that disbursements of the general purpose revenue and corresponding segregated revenue be in direct proportion to the amount of program revenue or corresponding segregated revenue which is available or appropriated in ch. 20 or as condition of a grant or contract. If Subject to sub. (1) (c), if the secretary makes such a determination, the agency shall incorporate the necessary adjustments into the expenditure plans provided for in sub. (1)."

**History:** 1971 c. 270; 1973 c. 333; 1975 c. 39; 1977 c. 29; 196, 418; 1979 c. 32, 34; 1981 c. 20, 27, 30, 314; 1983 a. 27 ss. 70, 71a, 2202 (42); 1985 a. 332 s. 251 (6); 1987 a. 4, 27; 1989 a. 31, 336; 1991 a. 316; 1993 a. 16; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33 ss. 173, 174, 9160; 2005 a. 25, 149.

(end ins 1-2)

**Gary, Aaron**

---

**From:** Dyck, Jon  
**Sent:** Monday, July 02, 2007 10:43 AM  
**To:** Gary, Aaron  
**Subject:** LRB b0898/2

I think on page 2, line 23, that "department of transportation" should be just "department" since DOA is the agency is responsible for the approval of the estimate.

**Jon Dyck**  
Fiscal Analyst  
Legislative Fiscal Bureau  
1 East Main, Suite 301  
Madison, WI 53703  
(608) 266-9919  
[jon.dyck@legis.wisconsin.gov](mailto:jon.dyck@legis.wisconsin.gov)



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBb0898/2 3  
ARG:jld:nwn

RMR

LFB:.....Dyck- Joint committee on finance review of allotment adjustments

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT,**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 2007 SENATE BILL 40**

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 29, line 24: after that line insert:

3 "SECTION 85c. 16.50 (1) (a) of the statutes is amended to read:

4 16.50 (1) (a) Each department except the legislature and the courts shall  
5 prepare and submit to the secretary an estimate of the amount of money which it  
6 proposes to expend, encumber or distribute under any appropriation in ch. 20. The  
7 department of administration shall prepare and submit estimates for expenditures  
8 from appropriations under ss. 20.855, 20.865, 20.866 and 20.867. The secretary may  
9 waive the submission of estimates of other than administrative expenditures from  
10 such funds as he or she determines, but the secretary shall not waive submission of



1 estimates for the appropriations under s. 20.285 (1) (im) and (n) nor for expenditure  
2 of any amount designated as a refund of an expenditure under s. 20.001 (5).  
3 Estimates shall be prepared in such form, at such times and for such time periods  
4 as the secretary requires. Revised Except as provided in par. (c), revised and  
5 supplemental estimates may be presented at any time under rules promulgated by  
6 the secretary.

7 **SECTION 85e.** 16.50 (1) (c) of the statutes is created to read:

8 16.50 (1) (c) 1. The department may not approve any revised or supplemental  
9 estimate submitted by the department of transportation under par. (a) for any  
10 appropriation of federal funds under s. 20.395 unless the department of  
11 transportation has submitted a request to revise or supplement the estimate to the  
12 joint committee on finance and the request is approved under subd. 2. or the  
13 department of transportation has submitted a plan including the revised or  
14 supplemental estimate to the joint committee on finance under s. 84.03 (2) (b) 1. and  
15 the plan is approved under s. 84.03 (2) (c).

16 2. If the department of transportation submits a request under subd. 1. and the  
17 cochairpersons of the joint committee on finance do not notify the department of  
18 transportation within 14 working days after the date of the submittal that the  
19 committee has scheduled a meeting for the purpose of reviewing the request, the  
20 request is approved. If, within 14 working days after the date of the submittal, the  
21 cochairpersons of the committee notify the department of transportation that the  
22 committee has scheduled a meeting for the purpose of reviewing the request, the  
23 department of <sup>✓ administration</sup> ~~transportation~~ may not revise or supplement any estimate specified  
24 in the request until it is approved by the committee, as submitted or as modified.

25 **SECTION 85f.** 16.50 (6) of the statutes is amended to read:

1           16.50 (6) PROPORTIONAL SPENDING. If the secretary determines that  
2           expenditures of general purpose or segregated fund revenues are utilized to match  
3           revenues received under s. 16.54 or 20.001 (2) (b) for the purposes of combined  
4           program expenditure, the secretary may require that disbursements of the general  
5           purpose revenue and corresponding segregated revenue be in direct proportion to the  
6           amount of program revenue or corresponding segregated revenue which is available  
7           or appropriated in ch. 20 or as condition of a grant or contract. If Subject to sub. (1)  
8           (c), if the secretary makes such a determination, the agency shall incorporate the  
9           necessary adjustments into the expenditure plans provided for in sub. (1).”.

10           **2.** Page 1196, line 23: after that line insert:

11           “**SECTION 2541r.** 85.035 of the statutes is amended to read:

12           **85.035 Reduction of department appropriations.** Where Subject to s.  
13           16.50 (1) (c), where the secretary deems that economic conditions warrant, the  
14           secretary, in conjunction with submission of estimates under s. 16.50, may  
15           recommend to the secretary of administration that authorized department  
16           appropriations be reduced to reflect revenue deficiencies.”.

17           **(END)**



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBb0898/3  
ARG:jld:sh

LFB:.....Dyck- Joint committee on finance review of allotment adjustments

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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7           department of administration shall prepare and submit estimates for expenditures  
8           from appropriations under ss. 20.855, 20.865, 20.866 and 20.867. The secretary may  
9           waive the submission of estimates of other than administrative expenditures from  
10          such funds as he or she determines, but the secretary shall not waive submission of

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2 of any amount designated as a refund of an expenditure under s. 20.001 (5).  
3 Estimates shall be prepared in such form, at such times and for such time periods  
4 as the secretary requires. Revised Except as provided in par. (c), revised and  
5 supplemental estimates may be presented at any time under rules promulgated by  
6 the secretary.

7 **SECTION 85e.** 16.50 (1) (c) of the statutes is created to read:

8 16.50 (1) (c) 1. The department may not approve any revised or supplemental  
9 estimate submitted by the department of transportation under par. (a) for any  
10 appropriation of federal funds under s. 20.395 unless the department of  
11 transportation has submitted a request to revise or supplement the estimate to the  
12 joint committee on finance and the request is approved under subd. 2. or the  
13 department of transportation has submitted a plan including the revised or  
14 supplemental estimate to the joint committee on finance under s. 84.03 (2) (b) 1. and  
15 the plan is approved under s. 84.03 (2) (c).

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14           secretary, in conjunction with submission of estimates under s. 16.50, may  
15           recommend to the secretary of administration that authorized department  
16           appropriations be reduced to reflect revenue deficiencies.”.

17           **(END)**